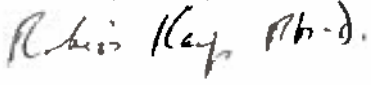




## DEPARTMENT OF MENTAL HEALTH POLICY/PROCEDURE

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE
<b>EMPLOYER PULL NOTICE</b>	<b>904.03</b>	<b>05/16/2016</b>	<b>1 of 7</b>
APPROVED BY:  Acting Director	SUPERSEDES  <b>N/A</b>	ORIGINAL ISSUE DATE  <b>05/16/2016</b>	DISTRIBUTION LEVEL(S)  <b>1</b>

### **PURPOSE**

- 1.1 To establish a procedure and guidelines to utilize the California Department of Motor Vehicles (DMV) Employer Pull Notice (EPN) Program to ensure continued compliance and promote driver safety for the Los Angeles County Department of Mental Health (LACDMH/Department) employees in jobs for which driving is required.
- 1.2 To inform employees of his/her responsibilities for participation in the EPN Program in accordance with the California Commercial Motor Vehicle Safety Act of 1988.
- 1.3 To aid in ensuring continued compliance with the requirement to maintain a current and valid California Driver License.
- 1.4 To reduce Departmental auto liability costs through the identification of County drivers with violations that may affect their driving privileges.

### **BACKGROUND**

- 2.1 The EPN Program was established by the DMV to provide employers and regulatory agencies with a means of promoting driver safety through the ongoing review of driver records which is generated and sent automatically to the employer for newly enrolled drivers upon activity or annually for currently enrolled drivers. Per the California Vehicle Code (CVC) Section 1808.1 Employer Notification, the DMV shall disclose any action on an employee's driving record. Additionally, per CVC 1808, the driving record describes this information as open to the public. (Attachment 5)



## DEPARTMENT OF MENTAL HEALTH POLICY/PROCEDURE

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE
EMPLOYER PULL NOTICE	904.03	05/16/2016	2 of 7

### DEFINITION

- 3.1 **Driver(s)/Employee(s):** All LACDMH employees who have been certified to operate County-owned vehicles or those that are enrolled in the Mileage Permittee Program and drive their private vehicles for County business.
- 3.2 **Driver License:** Class A, B, or C Driver License issued by the California DMV.
- 3.3 **Financial Responsibility:** Monetary accountability which may be guaranteed by auto liability insurance coverage or other evidence of sufficient funds to pay for damages.
- 3.4 **Liability:** An obligation that legally binds an individual or company to settle a debt or financial responsibility. When one is liable for a debt, he/she is responsible for paying the debt or settling a wrongful act they may have committed.
- 3.5 **Mileage Permittee:** Employee approved for mileage/parking reimbursement when using his/her own vehicle on County business.
- 3.6 **Subrogation:** Reimbursement from an insurance company when its insured are at fault for an accident.
- 3.7 **Reimbursement:** Compensation paid for damages or losses or money already spent, etc.
- 3.8 **Vendor:** An individual or business that promotes or exchanges goods or services for money.

### POLICY

- 4.1 Each employee shall have a current and valid California Driver License of the appropriate class, as delineated by his/her classification specification, in his/her possession when operating a motor vehicle while on duty (whether or not driving is a requirement of the position held). An employee must report to his/her immediate supervisor within twenty-four (24) hours in the event he/she receives a notice of revocation, suspension, or expiration of his/her driver license.



## DEPARTMENT OF MENTAL HEALTH POLICY/PROCEDURE

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE
<b>EMPLOYER PULL NOTICE</b>	<b>904.03</b>	<b>05/16/2016</b>	<b>3 of 7</b>

- 4.1.1 Failure to maintain a valid driver license or timely report the revocation, suspension, or expiration of a driver license may result in restriction from the driving position, and/or disciplinary action including suspension, reduction, or discharge from County service.
- 4.2 Mileage permittees and/or employees required to drive their personal vehicles or are authorized to use a County vehicle in the scope of their work shall complete and return an Authorization for Release of Driver Record Information Form, INF 1101. (Attachment 1)
  - 4.2.1 Prior completion and submission of this form and its approval by management will be required before any employee is approved as a mileage permittee and/or authorized to drive a County vehicle.
- 4.3 In accordance with the DMV's requirements, an employee who is no longer required to drive a County vehicle or his/her own vehicle or who separates from the Department will be deleted from the EPN Program.
- 4.4 LACDMH employees are expected to comply with State law by maintaining documentary proof of financial responsibility, i.e., copy of insurance coverage at all times while driving his/her private vehicle on County business.

### **PROCEDURE**

- 5.1 Each LACDMH employee required to drive his/her own vehicle within the scope of his/her identified duties must be certified as a mileage permittee. Employees required to drive as a requirement of the job will be identified as either commercial or non-commercial drivers based upon their job classification and required duties.
- 5.2 Employees are to complete the Authorization for Release of Driver Record Information Form, INF 1101 (Attachment 1). Upon completion, the form is to be submitted to the DMH-Human Resources Bureau (DMH-HRB).
- 5.3 A newly hired or transferred employee required to drive his/her personal vehicle in the scope of his/her work assignment will complete and submit the



**LAC  
DMH**  
LOS ANGELES COUNTY  
DEPARTMENT OF  
MENTAL HEALTH

## DEPARTMENT OF MENTAL HEALTH POLICY/PROCEDURE

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE
<b>EMPLOYER PULL NOTICE</b>	<b>904.03</b>	<b>05/16/2016</b>	<b>4 of 7</b>

Authorization for Release of Driver Record Information Form, INF 1101 (Attachment 1) to DMH-HRB before driving on official County business.

- 5.3.1 Under no circumstances shall an employee be authorized for mileage reimbursement prior to the date this form was completed and accepted by management.
- 5.4 An employee who is required to drive but does not wish to enroll in the EPN Program may opt out but will be required to provide an original and certified DMV Request for Your Own Driver License/Identification Card Record Form, INF 1125 (Attachment 2) by July 15 of every calendar year.
  - 5.4.1 The cost for obtaining this document is to be incurred by the employee.
  - 5.4.2 Arrangements to obtain this document must be made on an employee's personal time; an employee will not be permitted to use County time to obtain this document.
  - 5.4.3 An employee who opts out but fails to meet the above conditions will be immediately decertified as a mileage permittee. The employee will be presented with a directive identifying that he/she is no longer allowed to drive a County vehicle or a personal vehicle within the scope of official County business. The employee will still be expected to meet relevant performance expectations (including, but not limited to, attending mandatory meetings and trainings). An employee's failure to meet performance expectations is subject to disciplinary action in accordance with the County of Los Angeles Discipline Guidelines.
  - 5.4.4 An employee currently enrolled in the EPN Program may opt out of the program at any time by sending a letter to the LACDMH Administrative Support Bureau (ASB) Risk Management Coordinator (RMC).
  - 5.4.5 Upon receipt of an employee's opt-out request, the designated RMC will electronically delete the employee from the EPN Program through the DMV's File Generation System. Within thirty (30) days of receiving confirmation that the employee has been removed from the DMV program, the employee opting out will be required to submit a copy of



**LAC  
DMH**  
LOS ANGELES COUNTY  
DEPARTMENT OF  
MENTAL HEALTH

## DEPARTMENT OF MENTAL HEALTH POLICY/PROCEDURE

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE
<b>EMPLOYER PULL NOTICE</b>	<b>904.03</b>	<b>05/16/2016</b>	<b>5 of 7</b>

his/her certified DMV Request for Your Own Driver License/Identification Card Record, INF 1125 (Attachment 2) by July 15 yearly.

- 5.4.6 Thereafter, the employee will be required to comply with the opt-out portion of this policy.
- 5.5 Designated DMH-HRB staff will identify all employees that drive a County vehicle or a personal vehicle within the scope of County business.
- 5.6 The ASB RMC will obtain an Authorization for Release of Driver Record Information Form, INF 1101 (Attachment 1) from all identified employees.
- 5.6.1 Upon receipt of the Authorization for Release of Driver Record Information Form from DMH-HRB, the ASB RMC will electronically add the employee to the EPN Program through the DMV's File Generation System.
- 5.6.1.1 The ASB RMC will add/delete drivers to/from the EPN Program on an ongoing basis based on employment status and notification received from DMH-HRB.
- 5.6.2 The employee's supervisor is responsible for informing the ASB RMC of an employee's change in assignment that should result in the employee's deletion from the EPN Program. Changes in assignment include but are not limited to promotion to an item that no longer requires the employee to drive, transfer from the program, or separation from County service.
- 5.6.3 The ASB RMC will receive subsequent notification from the DMV if an employee has any action on his/her driving record.
- 5.6.3.1 Although the DMV is unable to restrict the information forwarded via the EPN Program, the ASB RMC will only be responding to/reviewing the notification(s) that indicate(s) a conviction, suspension, expiration, or restriction of driver licenses of covered employees. All other information reported via the EPN will be deleted and/or destroyed.



## DEPARTMENT OF MENTAL HEALTH POLICY/PROCEDURE

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE
<b>EMPLOYER PULL NOTICE</b>	<b>904.03</b>	<b>05/16/2016</b>	<b>6 of 7</b>

- 5.7 Upon termination of mileage permittee status, use of County vehicle, or transfer/appointment to a position that does not require driving as an essential function, or termination of employment, enrolled employees will be removed from the EPN Program.
- 5.8 The ASB RMC is designated as the custodian of information regarding EPN program notifications from the DMV and will be responsible for its security and confidentiality. Therefore, the ASB RMC will ensure the following:
- The DMV Information Security Statement Form, INF 1128 (Attachment 3) is completed and submitted annually to the DMV and kept on file in LACDMH for two (2) years.
  - All information received from the DMV is maintained under lock and key and does not leave the premises of the LACDMH RMC's work area.
  - The DMV Server is accessed by designated staff only.
  - DMV information that does not indicate a conviction, suspension, or revocation of the driver license of a covered employee is not printed.
  - Notifications that are received by the DMV EPN program that indicate any conviction, suspension, or revocation of a driver license will be printed and forwarded to the LACDMH Performance Management staff for follow-up and the appropriate corrective action (where necessary).
- 5.9 The ASB RMC will retain reports received by the DMV for a period of one (1) year. Upon receipt of the updated annual report, the LACDMH RMC will destroy the previous year's report and maintain the current year's report.
- 5.9.1 The ASB RMC will note and forward copies of reports identifying a conviction, expiration, suspension, and revocation to the HR Manager to retain within applicable Employee Relations/Performance Management files for appropriate action and administrative investigations matters.
- 5.10 In some cases, an employee's driving record may be pulled for the purpose of identifying trends in driving pattern based upon "How Am I Driving?" complaints sent to the LACDMH RMC for review.



**LACDMH**  
LOS ANGELES COUNTY  
DEPARTMENT OF  
MENTAL HEALTH

## DEPARTMENT OF MENTAL HEALTH POLICY/PROCEDURE

SUBJECT	POLICY NO.	EFFECTIVE DATE	PAGE
<b>EMPLOYER PULL NOTICE</b>	<b>904.03</b>	<b>05/16/2016</b>	<b>7 of 7</b>

5.11 All employees shall acknowledge that they have received and read the Employer Pull Notice Policy and then sign the Employer Pull Notice Policy Acknowledgement Form. (Attachment 4)

### **AUTHORITY**

1. Los Angeles County Code, Sections 5.40.190 - 5.40.290
2. County Fiscal Manual, Section 13.13.0, Mileage
3. California Vehicle Code 1808

### **ATTACHMENT (HYPERLINKED)**

1. [California DMV Authorization For Release Of Driver Record Information Form, INF 1101](#)
2. [California DMV Request for Your Own Driver License/Identification Card Record Form, INF 1125](#)
3. [California DMV Information Security Statement Form, INF 1128](#)
4. [Employer Pull Notice Policy Acknowledgement Form](#)
5. [California Department of Motor Vehicles Employer Pull Notice \(EPN\) Program](#)

### **RESPONSIBLE PARTY**

LACDMH Administrative Support Bureau